IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O. O. C. J.

WRIT PETITION LD.NO.2174 OF 2004

Dreamworks Entertainment & Software Ltd. ...Petitioner.
Vs.
State of Maharashtra & Ors. ...Respondents.

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Mr. T.R. Yadav i/b. C. R. Naidu & Co. for the Petitioner.
Mr. B.M. Shroff for Respondent No.1.
Ms.Nutan Moily i/b. D. S. K. Legal for Respondent No.2.

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CORAM : DALVEER BHANDARI, C.J. &
DR.D.Y.CHANDRACHUD, J.

October 4, 2004.

P.C.:

We have seen the impugned judgment dated 25th June 2004, passed by the Forum for Redressal of Consumer Grievances. In the judgment it has been held that in July 2002, the petitioner has already started commercial activity and all his attempts are to get the supply for commercial use of hotel on the basis of temporary supply for Low Tension rate. The Forum further observed that the dishonesty is obvious from his own statement. The statement that the hotel has business only in the evening is irrelevant. Different hotels have different business hours. What is material is commercial use and so rates are to be applied for commercial establishment which is not a temporary use or purpose

in any sense of the term. The Forum further held that the Company is bound by the Tariff rates for Low Tension and High Tension approved by the Government and in case if a special case is to be made out and a decision thereon is to be taken, it will have to be taken by the company as such and not by some officers of the Company.

In view of the above, we find no merit in the writ petition which is accordingly dismissed.

CHIEF JUSTICE

DR.D.Y.CHANDRACHUD, J.